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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES**

(covering its work during 1995)

Rapporteur: Mr. Farouk AL-ATTAR (Syrian Arab Republic)

CHAPTERS V AND VI

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* A/50/150.

** This document contains chapters V and VI of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/50/23 (Part I). Chapters II and X also relate to the present chapters. Other chapters of the report will be issued under the symbol A/50/23 (Parts II and IV-VII). The complete report will be issued subsequently as Official Records of the General Assembly, Fiftieth Session, Supplement No. 23 (A/50/23).

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CHAPTER V

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION

A. Consideration by the Special Committee

1. At its 1441st meeting, on 27 February 1995, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1828), the Special Committee decided, inter alia, to take up the above question as a separate item and to consider it at its plenary meetings.

2. The Special Committee considered the item at its 1442nd, 1450th, 1451st and 1453rd meetings, between 10 July and 16 August 1995.

3. In its consideration of the item, the Special Committee took into account the provisions of the relevant resolutions of the General Assembly, including in particular resolution 49/40 of 9 December 1994 relating to foreign economic activities in colonial Territories. The Committee also took into account the relevant provisions of Assembly resolution 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration; and resolution 49/89 of 16 December 1994 on the implementation of the Declaration. Additionally, the Committee took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the tenth preambular paragraph of the resolution it adopted on 16 August (see paras. 12 and 16).

4. In 1994, the Special Committee, in keeping with its consistent goal of limiting documentation and streamlining its report to the General Assembly, recommended to the Assembly that in preparing the general working papers on the Territories, the Secretariat should, where applicable, incorporate under separate headings those sections relating to foreign economic and other interests and those on military activities and arrangements on those Territories. By adopting resolution 49/89, the Assembly approved, inter alia, that recommendation.

5. During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing, inter alia, information on economic conditions, with particular reference to foreign economic activities, in the following Territories: Anguilla, Bermuda, Cayman Islands, Montserrat, Turks and Caicos Islands and United States Virgin Islands (A/AC.109/2013 and Add.1, 2014, 2015 and Add.1, 2016 and Add.1, 2019 and Add.1 and 2020 and Add.1).

6. At the 1442nd meeting, on 10 July, statements were made by the representatives of India, Papua New Guinea, China, Cuba, the Russian Federation and the Syrian Arab Republic (see A/AC.109/PV.1442).

7. At the 1450th meeting, on 17 July, statements were made by the representatives of Cuba, the Islamic Republic of Iran, the Syrian Arab Republic, the Russian Federation, the United Republic of Tanzania and India, as well as by the Director of General Assembly Affairs and the Acting Chairman (see A/AC.109/PV.1450).

8. At the 1451st meeting, on 18 July, the Acting Chairman drew attention to a draft resolution on the item (A/AC.109/L.1836).

9. At the same meeting, statements were made by the representatives of the Russian Federation, the Syrian Arab Republic, Cuba, the United Republic of Tanzania, Trinidad and Tobago, the Islamic Republic of Iran, India, Indonesia and China, as well as by the Acting Chairman (see A/AC.109/PV.1451).

10. At the 1453rd meeting, on 16 August, the Acting Chairman made a statement (see A/AC.109/PV.1453).

11. At the same meeting, the representative of Trinidad and Tobago submitted oral amendments to draft resolution A/AC.109/L.1836, as follows:

(a) Insert the following paragraphs after the fifth preambular paragraph:

"Aware of the special circumstances of the geographical location, size and economic conditions of each Territory and bearing in mind the need to promote economic stability, diversification and strengthening of the respective economies of each Territory,

"Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

"Conscious also that foreign economic investment when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes could make a valid contribution to the socio-economic development of the Territories and could also make a valid contribution to the exercise of their rights to self-determination;"

(b) In operative paragraph 4 replace the word "Condemns" with the words "Reiterates its deep concerns about".

12. At its 1453rd meeting, on 16 August, following statements by the representatives of the Russian Federation, India, Cuba, the Syrian Arab Republic, China, Chile and the Islamic Republic of Iran (see A/AC.109/PV.1453), the Special Committee adopted draft resolution A/AC.109/L.1836 (see para. 16), as orally amended, without a vote.

13. Further statements were made by the representatives of the Russian Federation and the United Republic of Tanzania (see A/AC.109/PV.1453).

14. On 29 August, copies of the resolution (A/AC.109/2038) were transmitted to all States, the specialized agencies and other organizations of the United Nations system and to the Organization of African Unity (OAU), the South Pacific Forum and the Caribbean Community (CARICOM).

B. Decision of the Special Committee

15. The text of the resolution (A/AC.109/2038) adopted by the Special Committee at its 1453rd meeting, on 16 August 1995 (see para. 12), appears under section C, in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

16. In accordance with decisions taken at its 1441st and 1442nd meetings, on 27 February and 10 July 1995, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all its other resolutions on this subject, including, in particular, resolution 46/181 of 19 December 1991, endorsing the plan of action for the International Decade for the Eradication of Colonialism, 2/

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that constitutes an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstructs efforts aimed at the elimination of colonialism is a direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Reaffirming further that the natural resources are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory and bearing in mind the need to promote economic stability, diversification and strengthening of the respective economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes could make a valid contribution to the socio-economic development

of the Territories and could also make a valid contribution to the exercise of their rights to self-determination,

Concerned about the activities of those foreign economic, financial and other interests which exploit the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories and deprive them of their rights to control the wealth of their countries,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

1. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

2. Reiterates that any administering Power that deprives the colonial peoples of Non-Self-Governing Territories of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests, violates the solemn obligations it has assumed under the Charter of the United Nations;

3. Reaffirms its concern about the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

4. Reiterates its deep concerns about those activities of foreign economic and other interests in the colonial and Non-Self-Governing Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism;

5. Calls once again upon all Governments that have not yet done so to take, in accordance with the relevant provisions of its resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial and Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

6. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;

7. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

8. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

9. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

10. Requests the Secretary-General to continue, through all means at his disposal, to inform world public opinion of those activities of foreign economic and other interests which impede the implementation of the Declaration;

11. Appeals to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts for the full implementation of the Declaration;

12. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the peoples of those Territories of their right to self-determination and independence;

13. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its fifty-first session.

Notes

1/ The present chapter.

2/ See A/46/634/Rev.1 and Corr.1.

CHAPTER VI

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION

A. Consideration by the Special Committee

1. At its 1441st meeting, on 27 February 1995, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1828), the Special Committee decided, inter alia, to take up the above question as a separate item and to consider it at its plenary meetings.

2. The Special Committee considered the item at its 1442nd, 1450th and 1453rd meetings, between 10 July and 16 August 1995.

3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 49/89 of 16 December 1994, in paragraph 8 of which the Assembly called upon the administering Powers to terminate military activities in the Territories under their administration and to eliminate military bases there in compliance with the relevant resolutions of the Assembly, and urged them not to involve those Territories in any offensive acts or interference against other States. The Committee also took into account Assembly decision 49/417 of 9 December 1994, in paragraph 7 of which the Assembly requested the Committee to continue to examine the question and to report thereon to the Assembly at its fiftieth session. Further, the Committee took into account the relevant provisions of Assembly resolution 45/33 of 20 November 1990 relating to the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. In 1994, the Special Committee, in keeping with its consistent goal of limiting documentation and streamlining its report to the General Assembly, recommended to the Assembly that in preparing the general working papers on the Territories, the Secretariat should, where applicable, incorporate under separate headings those sections relating to foreign economic and other interests and those on military activities and arrangements on those Territories. By adopting resolution 49/89, the Assembly approved, inter alia, that recommendation.

5. During its consideration of the item, the Special Committee had before it a working paper prepared by the Secretariat containing, inter alia, information on military activities and arrangements in the following Territories: Bermuda, Guam and United States Virgin Islands (A/AC.109/2014, 2018 and 2020 and Add.1).

6. At the 1442nd meeting, on 10 July, statements were made by the representatives of India, Papua New Guinea, China, Cuba, the Russian Federation and the Syrian Arab Republic (see A/AC.109/PV.1442).

7. At the 1450th meeting, on 17 July, statements were made by the representatives of Cuba, the Islamic Republic of Iran, the Syrian Arab Republic, the Russian Federation, the United Republic of Tanzania and India, as well as by the Director of General Assembly Affairs and the Acting Chairman (see A/AC.109/PV.1450).

8. At the 1453rd meeting, on 16 August, the Acting Chairman drew attention to a draft decision on the item (A/AC.109/L.1837).

9. At the same meeting, the representative of Trinidad and Tobago submitted oral amendments to draft decision A/AC.109/L.1837, as follows:

(a) Insert the following new paragraph 6:

"The Special Committee takes note of the decision of some of the administering Powers to close or downsize some of those military bases in the Non-Self-Governing Territory";

(b) Renumber paragraphs 6 and 7 accordingly.

10. At the same meeting, following statements by the representatives of India, the Russian Federation, the Syrian Arab Republic, the United Republic of Tanzania and Cuba (see A/AC.109/PV.1453), the Special Committee adopted draft decision A/AC.109/L.1837 (see para. 14), as orally amended, by a vote of 11 to one.

11. Further statements were made by the representatives of the Russian Federation and Mali (see A/AC.109/PV.1453).

12. On 29 August, copies of the decision (A/AC.109/2039) were transmitted to all States, the specialized agencies and other organizations of the United Nations system and to the Organization of African Unity (OAU), the South Pacific Forum and the Caribbean Community (CARICOM).

B. Decision of the Special Committee

13. The text of the decision (A/AC.109/2039) adopted by the Special Committee at its 1453rd meeting, on 16 August 1995 (see para. 10), appears under section C, in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

14. In accordance with decisions taken at its 1441st and 1442nd meetings, on 27 February and 10 July 1995, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in territories under their administration

1. The General Assembly, having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration", 1/ and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination, and reiterates its strong views that existing bases and installations, which are impeding the

implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn.

2. Aware of the presence of such bases and installations in some of those Territories, the General Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

3. The General Assembly reiterates its concern that military activities and arrangements by colonial Powers in Territories under their administration might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the administering Powers concerned to terminate such activities and to eliminate such military bases in compliance with its relevant resolutions.

4. The General Assembly reiterates that the colonial and Non-Self-Governing Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly deplores the continued alienation of land in colonial and Non-Self-Governing Territories, in particular in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

6. The General Assembly takes note of the decision of some of the administering Powers to close or downsize some of those military bases in the Non-Self-Governing Territories.

7. The General Assembly requests the Secretary-General to continue to inform world public opinion of those military activities and arrangements in colonial and Non-Self-Governing Territories which constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

8. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its fifty-first session.

Notes

1/ The present chapter.